



PHA 4296 (3167/7Z)
PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John P. McKearn et al. Art Unit 1644
Serial No. 09/868,063
Filed October 5, 2001
Confirmation No. Unknown

For METHOD OF USING A CYCLOOXYGENASE-2 INHIBITOR AND A MATRIX
METALLOPROTEINASE INHIBITOR AS A COMBINATION THERAPY IN THE
TREATMENT OF NEOPLASIA

August 14, 2003

COMMISSIONER FOR PATENTS
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

SIR:

INFORMATION DISCLOSURE STATEMENT

In accordance with 37 C.F.R. 1.97 and 1.98 and MPEP 609, and in compliance with the duty of disclosure set forth in 37 C.F.R. 1.56, Applicants submit copies of the references listed on the attached PTO/SB/08A for consideration by the Patent and Trademark Office in the above-entitled application and to be made of record therein.

Please note that Applicants make no representation as to the accuracy or completeness of the translations of the abstracts submitted herewith.

In preparation of this Information Disclosure Statement, Applicants determined that approximately 1,012 references were cited in the application. In an effort to reduce the burden on the Office, each reference was briefly reviewed by an attorney. This review eliminated any reference that was determined to be irrelevant or merely cumulative. If the Office would like a copy

08/15/2003 ZJUHR1 00000078 09868063

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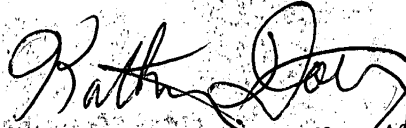
PHA 4296 (3167/7Z)
PATENT

of the eliminated references, they can be provided at the Office's request.

A check in the amount of \$180.00 is enclosed to cover the fee specified in 37 CFR \$1.17(p) for submission of this Information Disclosure Statement. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

* Also enclosed is Applicants' executed Power of Attorney.

Respectfully submitted,



Kathryn J. Doty, Reg. No. 40,593
SENNIGER, POWERS, LEAVITT & ROEDEL
One Metropolitan Square, 16th Floor
St. Louis, Missouri 63102
(314) 231-5400

KJD/msc
*Enclosures

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Express Mail Label No. EV 327052251 US - Box 2 of 4
Express Mail Label No. EV 327052265 US - Box 3 of 4
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08-15-03

1614 1644

FEE TRANSMITTAL

Application Number 09/868,063
Filing Date October 5, 2001
Confirmation No. Unknown
Inventor(s) John P. McKearn et al.
Attorney Docket Number PHA 4296 (3167/72)



Part Unit 1644

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METHOD OF PAYMENT

1. ☐ The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
- ☐ The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
- ☐ Applicant claims small entity status.
2. ☒ Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

FEE CALCULATION

1. ☐ BASIC FILING FEE Subtotal (1) \$ _____
(Type: _____)

2. ☐ EXTRA CLAIM FEES Subtotal (2) \$ _____

Total Claims _____
Independent Claims _____
Multiple Dependent Claims _____

3. ☒ ADDITIONAL FEES Subtotal (3) \$ 180.00

- ☐ Surcharge - late filing fee or oath
- ☐ Surcharge - late provisional filing fee or cover sheet
- ☐ Extension for reply within _____ month
- ☐ Notice of Appeal
- ☐ Filing a Brief in Support of an appeal
- ☐ Request for ex parte Reexamination
- ☐ Petitions to the Commissioner
- ☒ Submission of Information Disclosure Statement
- ☐ Recording each patent assignment per property
- ☐ Request for Continued Examination
- ☐ Other: _____

TOTAL AMOUNT OF PAYMENT \$ 180.00

Kathryn J. Doty
Kathryn J. Doty, Reg. No. 40,593

August 14, 2003
Date

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PTO/SB/08A		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	09/868,063
		Filing Date	October 5, 2003
		Confirmation Number	Unknown
		First Named Inventor	John P. McKearn et al.
		Group Art Unit	1644
		Examiner Name	Unknown
		Sheet 1 of 15	Attorney Docket No.



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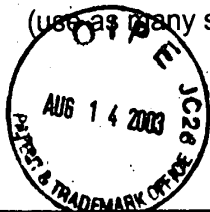
U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code ² (if known)		
	1.	4,100,274		Dutta et al.	07-11-1978
	2.	4,105,681		Bollag et al.	08-08-1978
	3.	4,140,707		Cleare et al.	02-20-1979
	4.	4,215,215		Bollag et al.	07-29-1980
	5.	5,250,683		Holton et al.	10-05-1993
	6.	5,254,703		Holton	10-19-1993
	7.	5,272,171		Ueda et al.	12-21-1993
	8.	5,319,112		Kingston et al.	06-07-1994
	9.	5,344,991		Reitz et al.	09-06-1994
	10.	5,455,270		Kaplan et al.	10-03-1995
	11.	5,633,016		Johnson	05-27-1997
	12.	5,672,583		Chapman et al.	09-30-1997
	13.	5,686,419		Powers et al.	11-11-1997
	14.	5,696,131		Baguley et al.	12-09-1997
	15.	5,733,909		Black et al.	03-31-1998
	16.	5,767,142		LaVoie et al.	06-16-1998
Examiner Signature				Date Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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PTO/SB/08A				Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Application Number	09/868,063
				Filing Date	October 5, 2000
				Confirmation Number	Unknown
				First Named Inventor	John P. McKearney et al.
				Group Art Unit	1644
				Examiner Name	Unknown
Sheet	2	of	15	Attorney Docket No.	PHA 4296 (3167/7Z)



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	17.	5,824,699		Kreft et al.	10-20-1998
	18.	5,837,696		Golub et al.	11-17-1998
	19.	5,869,524		Failli	02-09-1999
	20.	5,952,381		Chen et al.	09-14-1999

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T ⁶
		Office	Number ⁴	Kind Code ² (if known)			
	21.	DE	195 48 798	A1	Dr. Karl Thomae GmbH	07-03-1997	A
	22.	DE	196 13 933	A1	Merck Patent GmbH	10-09-1997	A
	23.	DE	196 26 701	A1	Hoechst AG	01-08-1998	A
	24.	EP	0 010 458	A1	ANVAR	04-30-1980	A
	25.	EP	0 054 168	A1	Klinge Pharma GmbH & Co.	06-23-1982	A
	26.	EP	0 095 875	A2	Farmos Group Ltd.	12-07-1983	
	27.	EP	0 165 904	A2	Ciba-Geigy AG	12-27-1985	A
	28.	EP	0 199 636	A1	C.I.R.D.	10-29-1986	A
	29.	EP	0 236 940	B1	Ciba-Geigy AG	09-16-1987	
	30.	EP	0 260 744	B1	Janssen Pharmaceutica N.V.	03-23-1988	
	31.	EP	0 299 402	A2	ASTA Pharma Aktiengesellschaft	01-18-1989	A
	32.	EP	0 331 983	A2	F. Hoffmann-La Roche AG	09-13-1989	A

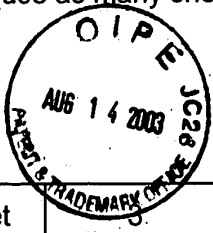
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		Application Number	09/868,063		
		Filing Date	October 5, 2001		
		Confirmation Number	Unknown		
		First Named Inventor	John P. McKearn et al.		
		Group Art Unit	1644		
		Examiner Name	Unknown		
Sheet		of	15	Attorney Docket No.	PHA 4296 (3167/7Z)

	33.	EP	0 402 232	A1	Rhone-Poulenc Sante	12-12-1990	A
	34.	EP	0 532 156	A1	Matsuno et al.	03-17-1993	
	35.	EP	0 579 915	A1	F. Hoffmann-La Roche AG	01-26-1994	A
	36.	EP	0 640 594	A1	Fujirebio Inc.	03-01-1995	
	37.	EP	0 702 962	A2	Eli Lilly and Company	03-27-1996	
	38.	EP	0 703 239	A1	Hoechst Aktiengesellschaft	03-27-1996	A
	39.	EP	0 716 086	A1	Boehringer Mannheim GMBH	06-12-1996	
	40.	EP	0 743 070	A2	Trnka Mudr et al.	11-20-1996	A
	41.	EP	0 758 649	A1	Kureha Chemical Industry Co., Ltd.	02-19-1997	
	42.	EP	0 818 443	A2	American Cyanamid Company	01-14-1998	
	43.	EP	0 921 119	A1	ADIR Et Compagnie	06-09-1999	A
	44.	GB	2 282 598	A	Merck & Co., Inc.	04-12-1995	
	45.	WO	87/07609	A1	Taiho Pharmaceutical Co., Ltd.	12-17-1987	A
	46.	WO	93/00427	A2	Erziehungsdirektion of the Canton Zurich	01-07-1993	
	47.	WO	93/11145	A1	Banyu Pharmaceutical Co., Ltd.	06-10-1993	
	48.	WO	93/18652	A1	Merck & Co.	09-30-1993	
	49.	WO	94/02466	A1	The Du Pont Merck Pharmaceutical Company	02-03-1994	
	50.	WO	94/12169	A1	Merck & Co., Inc.	06-09-1994	
	51.	WO	94/13635	A1	Merck Frosst Canada Inc.	06-23-1994	

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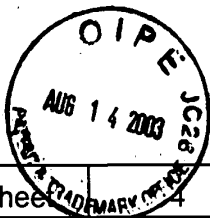
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PTO/SB/08A

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(use as many sheets as necessary)



Sheet 4

of

15

Complete if Known

Application Number	09/868,063
Filing Date	October 5, 2001
Confirmation Number	Unknown
First Named Inventor	John P. McKearn et al.
Group Art Unit	1644
Examiner Name	Unknown
Attorney Docket No.	PHA 4296 (3167/7Z)

	52.	WO	94/20480	A1	Merck Frosst Canada Inc.	09-15-1994	
	53.	WO	94/21612	A1	Otsuka Pharmaceutical Co., Ltd.	09-29-1994	
	54.	WO	94/25431	A1	The Welcome Foundation Limited	11-10-1994	
	55.	WO	94/25466	A1	Glaxo, Inc.	11-10-1994	
	56.	WO	94/26731	A1	Merck Frosst Canada Inc.	11-24-1994	
	57.	WO	94/27980	A1	G.D. Searle & Co.	12-08-1994	
	58.	WO	95/02603	A2	Pharmacia S.P.A.	01-26-1995	
	59.	WO	95/08327	A1	The Government of the United States of America	03-30-1995	
	60.	WO	95/11883	A1	G.D. Searle & Co.	05-04-1995	
	61.	WO	95/12606	A1	The Welcome Foundation Limited	05-11-1995	
	62.	WO	95/13289	A1	Chiroscience Limited	05-18-1995	
	63.	WO	95/15316	A1	G.D. Searle & Co.	06-08-1995	
	64.	WO	95/24199	A2	Cell Therapeutics, Inc.	09-14-1995	
	65.	WO	95/29892	A1	The Du Pont Merck Pharmaceutical Company	11-09-1995	
	66.	WO	95/30652	A1	G.D. Searle & Co.	11-16-1995	
	67.	WO	95/30656	A1	G.D. Searle & Co.	11-16-1995	
	68.	WO	96/00214	A1	Ciba-Geigy AG	01-04-1996	
	69.	WO	96/00574	A1	Smithkline Beecham Corporation	01-11-1996	
	70.	WO	96/01653	A1	Board of Regents, The University of Texas System et al.	01-25-1996	

Examiner Signature		Date Considered	
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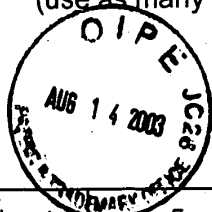
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			Group Art Unit	1644
			Examiner Name	Unknown
Sheet 5 of 15	Attorney Docket No.		PHA 4296 (3167/7Z)	



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	71.	WO	96/03387	A1	G.D. Searle & Co.	02-08-1996	
	72.	WO	96/03392	A1	G.D. Searle & Co.	02-08-1996	
	73.	WO	96/06840	A1	Merck Frosst Canada Inc.	03-07-1996	
	74.	WO	96/14745	A1	The Regents of the University of California	05-23-1996	
	75.	WO	96/15096	A1	Bayer Corporation	05-23-1996	
	76.	WO	96/21667	A1	Merck Frosst Canada Inc.	07-18-1996	
	77.	WO	96/23791	A1	Syntex Inc.	08-08-1996	
	78.	WO	96/27583	A1	Pfizer Inc.	09-12-1996	
	79.	WO	96/33988	A1	Wisconsin Alumni Research Foundation	10-31-1996	
	80.	WO	96/35774	A2	The Children's Medical Center Corporation	11-14-1996	
	81.	WO	96/36335	A1	Pharmacia S.P.A.	11-21-1996	
	82.	WO	96/36612	A1	Rutgers, The State University of New Jersey	11-21-1996	
	83.	WO	96/36622	A1	Indena S.P.A.	11-21-1996	
	84.	WO	96/36623	A1	Merck Frosst Canada Inc.	11-21-1996	
	85.	WO	96/37469	A1	Merck Frosst Canada Inc.	11-28-1996	
	86.	WO	97/11693	A1	3-Dimensional Pharmaceuticals, Inc.	04-03-1997	
	87.	WO	97/15666	A1	The Children's Medical Center Corporation	05-01-1997	

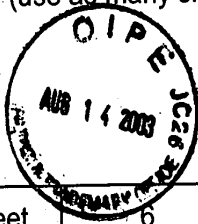
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			Group Art Unit	1644
			Examiner Name	Unknown
Sheet 6	of 15	Attorney Docket No.	PHA 4296 (3167/7Z)	



	88.	WO	97/15676	A2	Abbott Laboratories	05-01-1997	
	89.	WO	97/19068	A1	Warner-Lambert Company	05-29-1997	
	90.	WO	97/19954	A1	Asta Medica Aktiengesellschaft	06-05-1997	
	91.	WO	97/20835	A1	Harbor Branch Oceanographic Institution, Inc.	06-12-1997	
	92.	WO	97/23459	A1	Warner-Lambert Company	07-03-1997	
	93.	WO	97/24116	A2	Allergan	07-10-1997	
	94.	WO	97/29106	A1	Rutgers, The State University of New Jersey	08-14-1997	
	95.	WO	97/31936	A2	Wisconsin Alumni Research Foundation	09-04-1997	
	96.	WO	97/34608	A1	Mayo Foundation for Medical Education and Research	09-25-1997	
	97.	WO	97/36497	A2	Mars, Incorporated	10-09-1997	
	98.	WO	97/36863	A1	Merck Frosst Canada Inc.	10-09-1997	
	99.	WO	97/37658	A1	Boehringer Mannheim Italia S.P.A.	10-16-1997	
	100.	WO	97/41844	A1	Alcon Laboratories, Inc.	11-13-1997	
	101.	WO	97/44315	A1	Warner-Lambert Company	11-27-1997	
	102.	WO	97/47296	A2	Mount Sinai Hospital Corporation	12-18-1997	
	103.	WO	97/47599	A1	Fujisawa Pharmaceutical Co., Ltd.	12-18-1997	
	104.	WO	97/48685	A1	Glaxo Group Limited	12-24-1997	
	105.	WO	97/49704	A1	Janssen Pharmaceutica N.V.	12-31-1997	

Examiner Signature		Date Considered	
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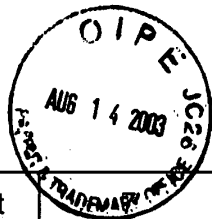
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		Group Art Unit	1644	
		Examiner Name	Unknown	
Sheet	of	15	Attorney Docket No.	PHA 4296 (3167/7Z)



	106.	WO	98/03166	A1	Monsanto Company	01-29-1998	
	107.	WO	98/03484	A1	Merck Frosst Canada Inc.	01-29-1998	
	108.	WO	98/05635	A1	Chiroscience Limited	02-12-1998	
	109.	WO	98/07433	A1	Bristol-Myers Squibb Company	02-26-1998	
	110.	WO	98/08814	A1	The Procter & Gamble Company	03-05-1998	
	111.	WO	98/08850	A1	The Procter & Gamble Company	03-05-1998	
	112.	WO	98/12181	A1	Rutgers, The State University of New Jersey	03-26-1998	
	113.	WO	98/13350	A1	Zeneca Limited	04-02-1998	
	114.	WO	98/14188	A1	Ilex Oncology Inc.	04-09-1998	
	115.	WO	98/15525	A1	Sumitomo Pharmaceuticals Co., Ltd.	04-16-1998	A
	116.	WO	98/16227	A1	G.D. Searle & Co.	04-23-1998	
	117.	WO	98/22101	A2	G.D. Searle & Co.	05-28-1998	
	118.	WO	98/25603	A1	Ilex Oncology, Inc.	06-18-1998	
	119.	WO	98/25896	A1	G.D. Searle & Co.	06-18-1998	
	120.	WO	98/27069	A1	Fujisawa Pharmaceutical Co., Ltd.	06-25-1998	
	121.	WO	98/33768	A1	Pfizer Products, Inc.	08-06-1998	
	122.	WO	98/33788	A1	Pharmacia & Upjohn S.P.A.	08-06-1998	
	123.	WO	98/40104	A2	Yale University et al.	09-17-1998	
	124.	WO	98/45294	A1	Astra Pharmaceuticals Ltd.	10-15-1998	

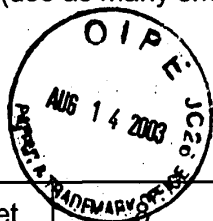
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		First Named Inventor	John P. McKearn et al.	
		Group Art Unit	1644	
		Examiner Name	Unknown	
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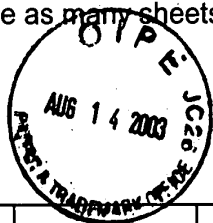
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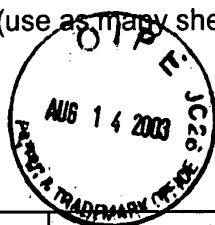
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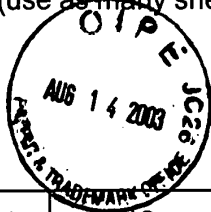
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				First Named Inventor	John P. McKeam et al.
				Group Art Unit	1644
				Examiner Name	Unknown
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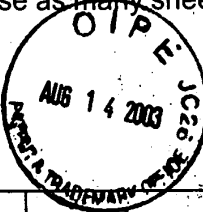
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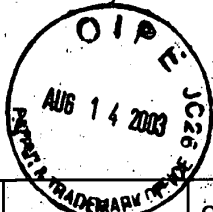
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PTO/SB/08A INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) 		Complete if Known			
		Application Number	09/868,063		
		Filing Date	October 5, 2000		
		Confirmation Number	Unknown		
		First Named Inventor	John P. McKearn et al.		
		Group Art Unit	1644		
		Examiner Name	Unknown		
Sheet	15	of	15	Attorney Docket No.	PHA 4296 (3167/7Z)

	204.	ZUCKER, S., et al., Measurement of Matrix Metalloproteinases and Tissue Inhibitors of Metalloproteinases in Blood and Tissues, Clinical and Experimental Applications, Annals of the New York Academy of Science, June 1999, pp. 212-227, Vol. 878, Robert A. Greenwald and Stanley Zucker (Eds.)	
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Examiner Signature		Date Considered	
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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached or place an "A" here if English language abstract is attached.

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